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			ART UNIT 3725	PAPER NUMBER

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/799,946	Applicant(s) WALKER ET AL.	
	Examiner Sean M. Michalski	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-79 is/are pending in the application.
- 4a) Of the above claim(s) 44-79 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23,25,26,28-31 and 34-43 is/are rejected.
- 7) ☒ Claim(s) 24,27,32 and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Additional References</u> . |

DETAILED ACTION

Election/Restrictions

The Examiner has noted applicant's election of Group II, with traverse. Examiner will also examine group II, as per Applicants request.

Information Disclosure Statement

The Information Disclosure Statements that were submitted June 6, 2005 and April 11, 2005 are accepted and have been given full consideration by the Examiner.

Claim Objections

1. Claim 2 is objected to as being indefinite for reciting "a top surface" and "a bottom surface". It is indefinite because there are multiple surfaces which could legitimately be called "a top surface" and so the examiner does not know what limitation this recitation constitutes. For the purposes of examination, instead of "a top surface" the claim will be read as "the surface corresponding to the edges of the primary blade structure—and "a bottom surface" will be read as "the opposite surface".

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 10 is rejected under 35 U.S.C. 112 for lack of antecedent basis. Claim 10 recites the limitation "apertures" in line 2. There is insufficient antecedent basis for this limitation in the claim, since only one aperture is defined by claim 1.

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4. Claim 15 is rejected under 35 U.S.C. 112 for lack of antecedent basis. Claim 15 recites the limitation "apertures" in line 2. There is insufficient antecedent basis for this limitation in the claim, since only one aperture is defined by claim 1.

5. In claim 1, Applicant recited *an aperture* defined by the front and rear edges, and then recites that the aperture receive a leg of the retaining clip. There appear to be multiple apertures, slots 40, 42, and the space which receives the blade structure. It would be helpful if the apertures were identified and referred to by separate terminology, since it is unclear whether applicant is referring to the aperture for the blade structure, or the slot specifically for the legs, which is itself *contained by the 'aperture' for the blade structure*. In other words, the definition given to an aperture in claim 1 currently reads on either the whole space provided within the housing, or to the smaller slots which specifically receive leg portions, but should not read on both at the same time.

Claim Rejections - 35 USC § 102

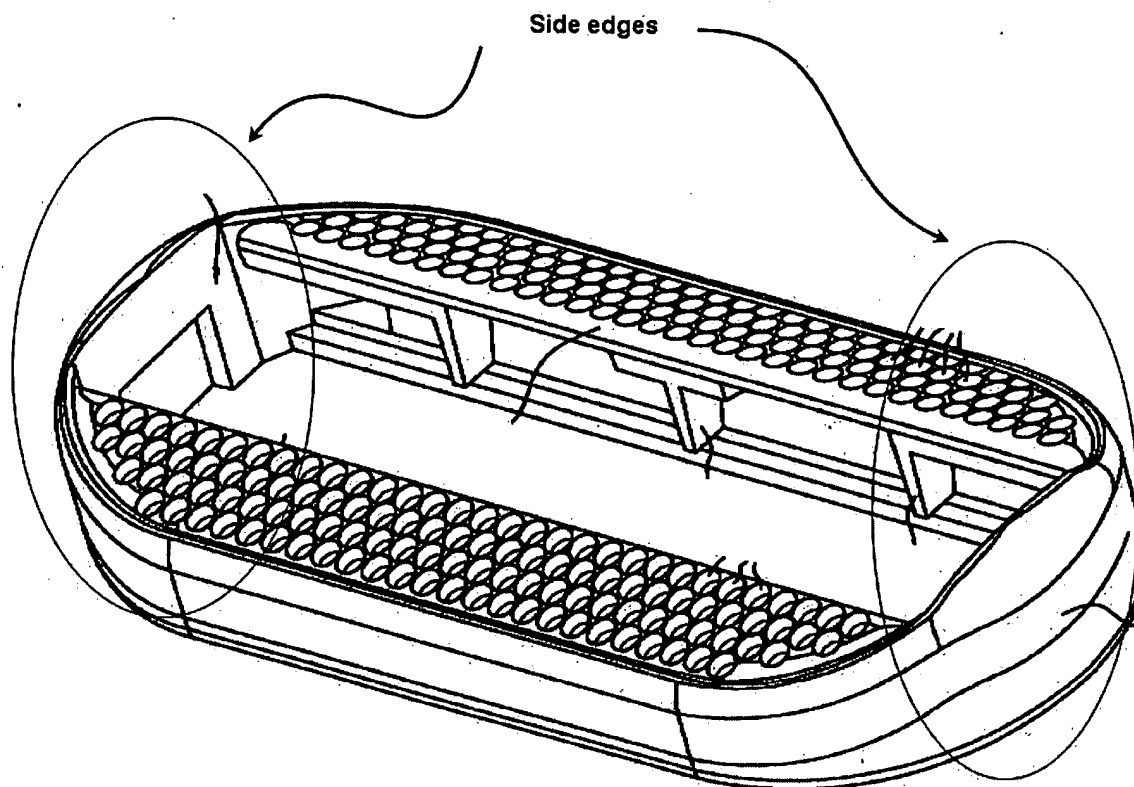
6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1, 2, 4, 6, 9, 10, 11, 15, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown et al (USPN 6,185,823).

8. Regarding claim 1, Brown et al. discloses a shaving blade unit (figure 14) comprising: a housing having a front edge (12 on the left, figure 14), a rear edge (12 on the right, figure 14) and side edges (see figure below)



extending between the front and rear edges, the housing defining an aperture (2, figure 13) between the front and rear edges; one or more shaving blades between the front edge and the rear edge (seen in figure 14), the one or more blades having cutting edges arranged to define a cutting region (the “shaving surface” of figure 12 is a cutting region); and a clip arranged to retain the one or more shaving blades on the housing(see clip 16, figure 14), the clip having a leg received by the aperture(the leg of 16 can be seen to depend into the aperture in figure 14), the leg having a bent portion defining a curvature (16 is bent at approximately a 90 degree angle as seen in figure 14) to secure the clip to the housing (the legs of the clip secure it to the housing, as demonstrated in figure 14).

9. Regarding claim 2, Brown et al. further discloses a shaving blade wherein the aperture extends from a top surface to a bottom surface of the housing (in figure 13 the aperture extends

from the surface corresponding to the edges of the primary blade structure to the opposite surface).

10. Regarding claim 4, Brown et al. further discloses that the aperture is between the side edges, as can be clearly seen in figure 13.

11. Regarding claim 6, Brown et al. further discloses that the leg has a straight portion (the portion of 16 which depends into the housing is straight, as can be seen in figure 14).

12. Regarding claim 9, Brown et al. further discloses that the clip (16 figure 13) has multiple legs (two legs can be seen depending into the aperture (figure 13)).

13. Regarding claim 10, Brown et al. further discloses that the legs extend through corresponding apertures in the housing, between the front and rear edges. Element 16 depends into the housing at the front and rear, and is seen to have corresponding apertures (one in the front and one in the rear).

14. Regarding claim 11, Brown et al. further discloses that each of the legs has a bent portion defining a respective curvature (bent portions are seen on element 16 in figure 13).

15. Regarding claim 15, Brown et al. further discloses multiple clips (column 6 lines 50-56) extending into associated apertures (one set is seen in figure 14, the other is defined by column 6 lines 53-56 to be at the opposite end, not shown). The clips are arranged to retain one or more blades (seen in figure 14), each of the legs having a bent portion (seen in figure 14), which secures the clip to the housing (as seen in figure 14).

16. Regarding claim 28, Brown et al. discloses a metal clip that was formed by crimping. Crimping is defined as pressing into folds or curves, which is how the clip 16 of Brown was formed.

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Furthermore, the method of forming the device is not germane to the issue of patentability of the device itself. The limitation is not given patentable weight.

Furthermore, in the alternative, crimping metal is both notorious and well known. Examiner takes official notice that making a metal component with bends using the process of crimping (or folding) is well known.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

19. Claims 3, 5, 7, 8, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. in view of Anderson et al.(USPN 5,761,814).

Regarding claim 3 Brown et al. does not disclose a shaving blade unit, wherein the leg is bent about at least a portion of the bottom surface of the housing. Brown is silent as to the configuration of the leg at the bottom surface of the housing.

Anderson et al teaches a blade retaining clip which is bent about at least a portion of the bottom surface, as seen in figures 1 and 5.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs bend around a portion of the bottom surface as taught by Anderson, so that the clip is more secure. The motivation to combine is that having a bent portion as opposed to a straight portion is a more secure connection.

20. Regarding claim 5, Brown et al. does not disclose that the leg is bent about at least a portion of a bottom surface of the housing.

Anderson et al teaches a blade retaining clip which is bent about at least a portion of the bottom surface, as seen in figures 1 and 5.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs bend around a portion of the bottom surface as taught by Anderson, so that the clip is more secure. The motivation to combine is that having a bent portion as opposed to a straight portion is a more secure connection.

21. Regarding claim 7, Brown et al. discloses that the clip has multiple bent portions (at least a front bend and a rear bend, seen in figure 13), but does not disclose that each leg has multiple bent portions.

Anderson teaches that each leg has multiple bent portions (seen in figure 1).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs have multiple bends as taught by Anderson, so that the clip is more secure. The motivation to combine is that having multiple bent portions, as opposed to a single bent portion with a straight portion, is a more secure connection.

22. Regarding claim 8, Brown et al. does not disclose that the leg has a curvature greater than 90 degrees, but teaches that the curvature is exactly 90 degrees (figure 13). The 'curvature' as defined by applicant is the summation of the angles of the bends a leg makes.

Anderson et al teaches legs (seen in figure 1) with a curvature of greater than 90 degrees (figure 1; there are 2 bends, each having an angle of at least 90 degrees, or in the alternative figure 9 shows 2 different bends, the angles of which add to approximately 120 degrees).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs have multiple bends to form a curvature greater than 90 degrees as taught by Anderson, so that the clip is more secure. The motivation to combine is that having multiple bent portions to form a curvature greater than 90 degrees, as opposed to a single bent portion with a straight portion, is a more secure connection

23. Regarding claim 12, Brown does not teach that each of the legs is bent about a portion of the bottom surface of the housing, but is silent as to their configuration at the bottom surface.

Anderson et al. teaches that each of the legs is bent about at least a portion of the bottom surface (seen clearly in figure 5).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs bend around a portion of the bottom

surface as taught by Anderson, so that the clip is more secure. The motivation to combine is that having a bent portion as opposed to a straight portion is a more secure connection.

24. Claims 13, 14, 16-21, 30 and 34-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Anderson as applied to claims 3, 5, 7, 8, and 12 above, and further in view of Parmley.

Regarding claim 13, Brown et al in view of Anderson does not teach that the legs have differing curvatures. The structure defined has been composed of metal clips combined with plastic components, so the field of problem solving endeavor with which the invention is concerned is use of metal with plastic. Parmley is a general reference book for all mechanical components, having sections devoted to the problem of connecting plastic and metal, and offers a multitude of examples. Parmley shows asymmetric retaining clips that are adapted to their functions and the structures they connect. This is seen on page 14-9, the circled figure, as well as 20-22 figure 2, figure 8 b and d, as well as the U-clips on page 20-25. The limitation that the legs have differing curvatures lacks criticality in the specification. Clips are made to correspond to and conform around the structures to which they are attached. Since the structure of Brown in view of Anderson is symmetric, it follows that the clips also would be symmetric, and therefore have identical curvatures. If the structure the clip was used to retain however was not symmetrical any person skilled in the art would have adapted the clip of Brown in view of Anderson to conform to the new asymmetrical structure. Furthermore, In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown in view of Anderson by making the clips have differing curvatures as taught by Parmley to prevent

vibration damage to the razor. The motivation to combine is that Parmley discloses that metal can be disposed in plastic so as to lessen vibrational loosening.

25. Regarding claim 14, Anderson teaches that each leg have a curvature greater than 90 degrees (this is especially evident in figures 5 or 9; figure 9 shows 2 different bends, the angles of which add to approximately 120 degrees).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs have multiple bends to form a curvature greater than 90 degrees as taught by Anderson, so that the clip is more secure. The motivation to combine is that having multiple bent portions to form a curvature greater than 90 degrees, as opposed to a single bent portion with a straight portion, is a more secure connection.

26. Regarding claim 16, Brown et al in view of Anderson does not teach that the legs have differing curvatures. The structure defined has been composed of metal clips combined with plastic components, so the field of problem solving endeavor with which the invention is concerned is use of metal with plastic. Parmley is a general reference book for all mechanical components, having sections devoted to the problem of connecting plastic and metal, and offers a multitude of examples. Parmley shows asymmetric retaining clips that are adapted to their functions and the structures they connect. This is seen on page 14-9, the circled figure, as well as 20-22 figure 2, figure 8 b and d, as well as the U-clips on page 20-25. The limitation that the legs have differing curvatures lacks criticality in the specification. Clips are made to correspond to and conform around the structures to which they are attached. Since the structure of Brown in view of Anderson is symmetric, it follows that the clips also would be symmetric, and therefore have identical curvatures. If the structure the clip was used to retain however was not

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symmetrical any person skilled in the art would have adapted the clip of Brown in view of Anderson to conform to the new asymmetrical structure. Furthermore, In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown in view of Anderson by making the clips have differing curvatures as taught by Parmley to prevent vibration damage to the razor. The motivation to combine is that Parmley discloses that metal can be disposed in plastic so as to lessen vibrational loosening.

27. Regarding claim 17, Anderson teaches that each leg have a curvature greater than 90 degrees (this is especially evident in figures 5 or 9; figure 9 shows 2 different bends, the angles of which add to approximately 120 degrees).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs have multiple bends to form a curvature greater than 90 degrees as taught by Anderson, so that the clip is more secure. The motivation to combine is that having multiple bent portions to form a curvature greater than 90 degrees, as opposed to a single bent portion with a straight portion, is a more secure connection.

28. Regarding claim 18, Brown et al. does not disclose that the leg is bent about at least a portion of a bottom surface of the housing.

Anderson et al teaches a blade retaining clip which is bent about at least a portion of the bottom surface, as seen in figures 1 and 5.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs bend around a portion of the bottom surface as taught by Anderson, so that the clip is more secure. The motivation to combine is that having a bent portion as opposed to a straight portion is a more secure connection.

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29. Regarding claim 19, Brown further discloses that the clips are located in-board of the front, rear and side edges (as seen in figure 14) and are spaced from each other (since the clips are on opposite sides of the housing, and do not intersect, they are spaced from each other).

30. Regarding claim 20, Brown further discloses that each clip is located adjacent to a respective side edge (as seen in figure 14, and described in the specification column 6 lines 53-56). Brown shows each blade to have a blade length (seen in figure 14, the length from the edge to the back of the blade).

31. Regarding claim 21 Brown discloses an elastomeric member affixed to the housing (12 figure 14). Brown further discloses that the length of the elastomeric member is greater than the length of the blades (since the elastomeric member extends all around the blade structure, the front and rear sections are much longer than the blade edges; this is seen in figure 14).

32. Regarding claim 30, Brown et al in view of Anderson does not teach that the legs have differing curvatures. The structure defined has been composed of metal clips combined with plastic components, so the field of problem solving endeavor with which the invention is concerned is use of metal with plastic. Parmley is a general reference book for all mechanical components, having sections devoted to the problem of connecting plastic and metal, and offers a multitude of examples. Parmley shows asymmetric retaining clips that are adapted to their functions and the structures they connect. This is seen on page 14-9, the circled figure, as well as 20-22 figure 2, figure 8 b and d, as well as the U-clips on page 20-25. The limitation that the legs have differing curvatures lacks criticality in the specification. Clips are made to correspond to and conform around the structures to which they are attached. Since the structure of Brown in view of Anderson is symmetric, it follows that the clips also would be symmetric, and therefore

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have identical curvatures. If the structure the clip was used to retain however was not symmetrical any person skilled in the art would have adapted the clip of Brown in view of Anderson to conform to the new asymmetrical structure. Furthermore, In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown in view of Anderson by making the clips have differing curvatures as taught by Parmley to prevent vibration damage to the razor. The motivation to combine is that Parmley discloses that metal can be disposed in plastic so as to lessen vibrational loosening.

33. Regarding claim 34, Brown et al. further discloses that the legs extend through corresponding apertures in the housing, between the front and rear edges. Element 16 depends into the housing at the front and rear, and is seen to have corresponding apertures (one in the front and one in the rear)

34. Regarding claim 35, Brown further discloses the apertures are located between the front and rear edges of the housing (seen in figure 14).

35. Regarding claim 36, Brown further discloses the apertures are located between the side edges of the housing (seen in figure 14).

36. Regarding claim 37, while Brown is silent as to the configuration of legs below the primary shaving surface, Anderson teaches multiple bent portions defining the curvature (as seen in figures 5 and 9).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs have multiple bends as taught by Anderson, so that the clip is more secure. The motivation to combine is that having multiple bent portions, as opposed to a single bent portion with a straight portion, is a more secure connection.

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37. Regarding claim 38, Brown teaches having a straight portion. It can be seen in figure 14, depending into the apertures defined in the housing.

38. Regarding claim 39, Brown teaches the straight portion depending into the housing, but is silent as to its continuing configuration. It would have been obvious to one skilled in the art at the time of the invention to make the straight portions depend straight through the housing, since the applicant does not state any benefit for this arrangement, nor does it solve any stated problem. This limitation lacks criticality. Clips are made to correspond to and conform around the structures to which they are attached. Since the structure of Brown in view of Anderson is symmetric and the interior of the cavity of Brown is straight all the way through the housing (seen in figure 13), it follows that the clips would follow (or approximate) this contour, and therefore be straight all the way through the cavity. Since the structure the clip was retained within was straight, any person skilled in the art would have adapted the clip of Brown in view of Anderson to conform to the straight walled cavity (aperture).

39. Regarding claim 40, Anderson teaches that each leg have a curvature greater than 90 degrees (this is especially evident in figures 5 or 9; figure 9 shows 2 different bends, the angles of which add to approximately 120 degrees).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs have multiple bends to form a curvature greater than 90 degrees as taught by Anderson, so that the clip is more secure. The motivation to combine is that having multiple bent portions to form a curvature greater than 90 degrees, as opposed to a single bent portion with a straight portion, is a more secure connection.

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40. Regarding claim 41, Brown et al. does not disclose that the leg is bent about at least a portion of a bottom surface of the housing.

Anderson et al teaches a blade retaining clip which is bent about at least a portion of the bottom surface, as seen in figures 1, 5, and 9.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by making the legs bend around a portion of the bottom surface as taught by Anderson, so that the clip is more secure. The motivation to combine is that having a bent portion as opposed to a straight portion is a more secure connection.

41. Regarding claim 42, Brown et al meets all the limitations of the claim except that the clip be aluminum. Brown is silent as to the composition of the clip, and does not teach away or prohibit the use of Aluminum, or any other material. Examiner hereby takes official notice that it is well known and notorious in the art to make razor clips from aluminum, because they will not rust.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify the clips by making them out of aluminum, since aluminum will not rust, which is important to a wet razor.

Furthermore, it has been held to be within the general skill of a worker in the art to select a known material on the basis of suitability for the intended use as a matter of obvious mechanical design expediency. *In re Leshin*, 125 USPQ 416.

42. Regarding claim 43, Brown et al. further teaches a metal clip that was formed by crimping. Crimping is defined as pressing into folds or curves, which is how the clip 16 of Brown was formed.

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Furthermore, the method of forming the device is not germane to the issue of patentability of the device itself. The limitation is not given patentable weight.

Furthermore, in the alternative, crimping metal is both notorious and well known. Examiner takes official notice that making a metal component with bends using the process of crimping (or folding) is well known, because it is less expensive and faster to bend a strip of metal than to cast or press a clip.

43. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al.

44. Regarding claim 29, Brown et al meets all the limitations of the claim except that the clip be aluminum. Examiner hereby takes official notice that it is well known and notorious in the art to make razor clips from aluminum, because they will not rust.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify the clips by making them out of aluminum, since aluminum will not rust, which is important to a wet razor.

Furthermore, it has been held to be within the general skill of a worker in the art to select a known material on the basis of suitability for the intended use as a matter of obvious mechanical design expediency. *In re Leshin*, 125 USPQ 416.

45. Claims 22, 23 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Anderson further in view of Parmley as applied to claims 13-14, 16-21 and 30 above, and further in view of Rozenkranc (USPN 6,276,061).

Brown in view of Anderson does not disclose that the elastomeric member have fins. Rozenkranc teaches a razor with an elastomeric member having fins(6 figure 1).

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In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown in view of Anderson by making the elastomeric member have fins as taught by Rozenkranc, to provide better skin stretching capabilities. The motivation to combine is that having an elastomer configured as fins will better stretch the skin, preparing it for a shaving operation.

46. Regarding claim 23, Brown teaches having the elastomeric member be longer than the blade edge, therefore if it were modified to be comprised of fins, the fins would be longer than the blades.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown in view of Anderson by making the elastomeric member have fins extending the full length of the existing elastomeric member as taught by Rozenkranc, to provide better skin stretching capabilities. The motivation to combine is that having an elastomer configured as fins will better stretch the skin, preparing it for a shaving operation.

47. Regarding claim 31, Brown does not disclose a trimming blade assembly retained on the housing.

Rozenkranc discloses a trimming blade assembly retained on a razor housing (6 figure 1).

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown in view of Anderson by providing it with a trimming blade assembly as taught by Rozenkranc, to provide trimming structure. The motivation to combine is that a trimming structure allows for trimming of sideburns and other areas where precision is important (column 1 lines 20-30).

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48. Claims 25-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al. as applied to claims 1, 2, 4, 6, 9, 10, 11, 15, 28 above, and further in view of Rozenkranc.

Regarding claim 25, Brown does not disclose a trimming blade assembly retained on the housing.

Rozenkranc discloses a trimming blade assembly retained on a razor housing.

In the same field of invention it would have been obvious to one skilled in the art at the time of the invention to modify Brown by providing it with a trimming blade assembly as taught by Rozenkranc, to provide trimming structure. The motivation to combine is that a trimming structure allows for trimming of sideburns and other areas where precision is important (column 1 lines 20-30).

49. Regarding claim 26, Brown in view of Rozenkranc does not teach that the clip retains the trimming assembly. Rozenkranc is silent as to the retention means. It would have been an obvious design expedient to retain the trimming assembly by the clip, since any means could be as easily used as any other to retain the trimming assembly, and it is known to simplify the design of a product by limiting the number of components. The clip retains all the primary blades, therefore, it would be obvious to use the same clip to retain any added blade – including a ‘trimming’ blade.

Allowable Subject Matter

50. Claims 24, 27 32, 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

51. Regarding claim 24, although variable height fins are well known (see Walker Jr. et al. USPN 6,675,479), there is no motivation other than impermissible hindsight that having the fins arranged as applicant recited would have any specific benefit.

Conclusion

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Parmley, RO (NPL) which shows general principles of design with sheet metal components, including crimping. Walker Jr. et al. (USPN 6,675,479) which shows variable height elastomeric fins. Apprille Jr. et al. (USPN 6,035,537) which indicates a process for crimping razor clips ("have been bent").

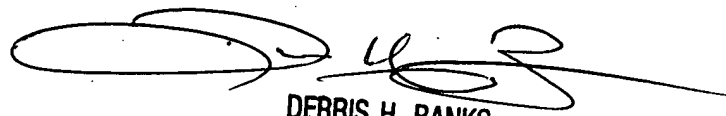
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean M. Michalski whose telephone number is 571- 272-6752. The examiner can normally be reached on M-F 7:30AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 3725

SMM

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a series of loops and a long horizontal stroke extending to the right.

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700